

DT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,079	11/16/2001	Valery Tsourikov	IMC-43	4738

7590 12/20/2004
 TOBY H KUSMERE
 MCDERMOTT WILL & EMERY
 28 STATE STREET
 BOSTON, MA 02109

EXAMINER

EDOUARD, PATRICK NESTOR

ART UNIT PAPER NUMBER

2654

DATE MAILED: 12/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,079

Applicant(s)

TSOURIKOV ET AL.

Examiner

Patrick N. Edouard

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/02/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 8 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamberti et al (5,377,103).

As per claim 1, Lamberti et al teach a system enabling a user to ask a question (query) and for providing the user with one or more answers or solutions to such question, the system comprising:

“user apparatus for generating first signals representative of a natural language user query that includes at least a query elements (A-O), (S-A) or (S-X-O) or element (s)” (Lamberti; figures 1-2, col. 3, line 67 to col. 4, line 14; and col. 4, lines 63)

“storing a knowledge base of a plurality of S-A-O's and for identifying at least one knowledge base element S, A, O, or element (A-O) associated with a respective knowledge base S-A-O that includes the query elements or elements in response to the first signals, and generating second signals representatives of the natural language answer S-A-O that includes the identified element or elements and the query elements or elements”(figure 1, his knowledge base 24; figure 2, his knowledge base 38, col. 4, lines 53-58, col. 5, lines 28-59);

Art Unit: 2654

“the user apparatus generating a natural language visual display to the user of the natural language answers S-A-O in response to receiving the second signals” (col. 6, lines 5-10).

It is noted that Lamberti et al teach the claimed invention but does not explicitly teach a server for storing a knowledge base and means for transmitting the first signals for the user apparatus to the server and for transmitting the second signals from the server to the user apparatus”. Lamberti’s system appears to retrieve a data stored locally in the computer’s knowledge base (Lamberti; col. 4, lines 35-37). However, the use of a server for storing a knowledge base and the use of communications from the user (client) to the server are well known in the art. Therefore, one having ordinary skill in the art at the time then invention was made would have it obvious to store the knowledge base in a server because it would facilitate many user to retrieve information that is of interest to them and therefore expand the system’s capability.

As per claim 2, it is further noted that Lamberti et al does not explicitly teach wherein said server conducts a search of the World Wide Web. However, the use of communication devices for searching for publications on the Internet and World Wide Web are old and well known in the art as admitted by Applicant in the Background of the invention. Therefore, one having ordinary skill in the art at the time the invention was made would have it obvious to incorporate a communication device within Lamberti’s computer for accessing the Internet with the motivation of providing user access to the numerous fundamental technical publications thereby expanding the system’s capability to retrieve that information which is important to the user.

As per claim 3, Lamberti et al teach wherein said server conducts said search automatically in response to server...to user search command (col. 5, lines 50-64).

As per claim 4, Lamberti et al teach wherein said server is programmed o query the user...user search command (col. 6, lines 4-26).

As per claim 8, Lamberti et al teach wherein said user apparatus includes a user digital computer for generating said first signals and receiving said second signals "(figure 1).

As per claim 11, Lamberti et al teach wherein said second signals represent each answer S-A-O in sentence format (col. 6, lines 40 to col. 7, line 67).

3. Claims 5-7, 9-10 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamberti et al (5,377,103) as applied to claim 2 above, and further in view of Johnson (5,748,974).

As per claim 5, Lamberti et al teach the claimed invention but does not explicitly teach wherein user apparatus converts human voice signals into said first signals. However, this feature is well known in the art as evidenced by Johnson who teach a multimodal natural language interface that enables users to combine natural language (spoken, typed or handwritten) using a speech recognizer to convert the speech signal into text at the abstract and figure 2 (his speech input). Therefore, one having ordinary skill in the art at the invention was made would have it obvious to incorporate into Lamberti' s system a speech recognizer because it allow expand the capability of the

Art Unit: 2654

system by allowing user to enter their input speaking it that would facilitate users who cannot type.

As per claims 6-7 and 9-10, Johnson teaches wherein user apparatus converts second signals into audio signals (his output response generator 54).

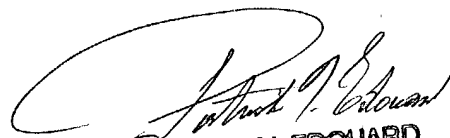
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is 7033086725. The examiner can normally be reached on T-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 703 3059645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick N. Edouard

December 8, 2004



PATRICK N. EDOUARD
PRIMARY EXAMINER